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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,557	11/02/2001	E-Lee Chang	36968/262344	5022

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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER	
DIEP, NHON THANH	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/003,557	CHANG ET AL.	
	Examiner	Art Unit	
	Nhon T. Diep	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/02/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffberg, in view of Monroe et al (US 7,023,913) and Wenzel (US 6,53,119 B1).

Hoffberg discloses a mobile communication device comprising the same method for recording a digital video image comprising: capturing a video image on a video-capture device (fig. 1, camera 26); compressing said digital video image to create a compressed image file (col. 24, ln. 45-47 and col. 31, ln. 37-42); transmitting said compressed image file over a wireless transmission channel (fig. 1, from camera 26 to tower 10'); and retransmitting said compressed image file over a packet network to a security office (network communication 24) as specified in claims 15, 25 and 30. Further more, Hoffberg, through out his disclosure, discloses two way communications such as "The communication device may be a transmitter, receiver or transceiver, transmitting event information or exchange event information." (col. 21, ln. 42-45) or "for exchanging event information over telephone communication lines or communication wirelessly with a base unit." (col. 24, ln. 14-29) and that the system may also serve as a beacon to good Samaritans, emergency workers and other motorists in the event of accident,

disablement or other status of the host vehicle." (col. 22, ln. 8-11). It is noted that Hoffberg does not particularly disclose that:

a. transmitting the compressed image file over a wireless transmission channel using a real time control protocol (RTCP); and

b. the security office uses the digital video image to determine if assistance should be sent to a location of the capturing of the video image as specified in claims 15, 25 and 30.

With regard to a: Monroe et al teaches that real time control protocol is used to transmit a real time audio/visual signals produced by various cameras (col. 4, lines 43-51). Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of Hoffberg by transmitting the compress image file using the real time control protocol as taught by Monroe et el. Doing so would help to reduce network bandwidth.

With regard to b: Wenzel teaches, in fig. 1, an access security system has at least one remote station for controlling access past a gate for a gated community. A central station monitors the remote stations and controls access past each remote station. Dial-up and cable modem connections join each remote station to the central, station. There is a two-way voice communicator between the central station and each remote station. Each remote station includes at least one video camera for sending visual data about a visitor at the remote station to a display at the control station and at least one video monitor for displaying at least part of the visual data to the visitor. The central station includes a first database for storing the visual data sent from the remote

station and a second database for looking up historical data abut the visitor. The remote station includes a second video camera for viewing a rear of a vehicle occupied by the visitor and a license plate thereon. The remote station further includes a printer for printing out directions and/or a map for the visitor. The central station further includes a facsimile for sending a video of a breach of security to a police station (col. 1, ln. 52 – col. 2, ln. 11). And therefore, having these two references in front of him/her, one ordinary skilled level in the art at the time the invention was made would have found it to be obvious to modify the system of Hoffberg by further providing the image file to the security office so that it can be used to determine if assistance should be sent to a location of the capturing of the video image. Doing so would help emergency workers in speedily response to emergency situation.

Re claim 16: The video-capture device comprises a cellphone (col. 23, ln. 1).

Re claim 17: The video-capture device comprises a personal digital assistant (col. 23, ln. 2-6).

Re claim 18: The video-capture device comprises: a video camera; and a wireless modem (fig. 1, camera 26).

Re claim 19: wherein the transmission channel comprises a long-range transmission channel (from camera 26 to tower 10').

Re claim 20: The determining an origin of said digital video image; and transmitting said origin with said compressed image file (col. 1, ln 39-42 and col. 25, ln. 49-65).

Re claim 21: The determining comprises determining said origin using a GPS receiver (col. 3, ln. 12-29).

Re claim 22: The determining comprises determining said origin using a cell identifier in a cellular network (col. 18, ln. 33-36).

Re claim 23: The determining comprises determining said origin using an E-911 service (col. 18, ln. 33-36).

Re claim 24: further comprising receiving said compressed image file in a secure remote location (fig. 1, el. 20, 25).

3. Claims 25-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffberg, in view of Monroe et al (US 7,023,913) and Wenzel (US 6,53,119 B1) and further in view of Reynolds et al (US 2004/0045030).

As applied to claim 15 above, it is noted that Monroe et al further teaches compressing using MPEG encoder (col. 10, lines 18-45), however the combination of Hoffberg, Monroe et al and Wenzel does not particularly disclose that the compressing of audio/video image using MPEG-4 compression format as specified in claims 25 and 30. Reynolds et al teaches that transcoder is used to support any high demand formats: MPEG-1, 2, 4,..etc. Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of the combination to compress video image using high demand MPEG format such as MPEG-4 as taught by Reynolds et al. Doing so would help to further compress image and reduce bandwidth.

Re claim 26: The viewing said compressed image file (fig. 1, el. 25).

Re claim 27: The storing said compressed image file (fig. 1, el. 20).

Re claim 28: the forwarding said compressed image file (from el. 24 to el. 25 to el. 20).

Re claim 29: The notifying a governmental agency (col. 18, ln. 33-36).

Re claim 31: The determining an identity of a user associated with said digital video image; and transmitting said identity with said compressed image file and the determining comprises receiving a user identification number (at least in a situation where a cellular telephone position detection system is employed, the holder of the cellular phone, which has an unique identification number is considered "an identity of a user associated with said digital video image" and the ID is always transmitted and as always known by the service provider).

Re claim 32: The determining comprises using authentication (col. 31, ln. 66 – col. 32, ln. 1).

Re claims 33-34: With regard to "the associating comprises searching a user-profile database and the user-profile database comprises a telephone service provider's subscriber database as specified in claims 33-34". Since, Hoffberg suggests "One way to subsidize a subscription-based system is through advertising revenue. Therefore, the "events" may also include messages targeted to particular users, either by location, demographics, origin, time, or other factors. Thus, a motel or restaurant might solicit customers who are close by (especially in the evening), or set up transponders along highways at desired locations. Travelers would then receive messages appropriate to time and place. While the user of the system according to the present invention will

typically be a frequent motorist or affluent, the system may also provide demographic codes, which allow a customized response to each unit. Since demographic information is personal, and may indicate traveler vulnerability, this information is preferably not transmitted as an open message and is preferably not decodable by unauthorized persons. In fact, the demographic codes may be employed to filter received information, rather than to broadcast interests (col. 25, ln. 49-65), which is the same as using user-profile information (particular users) to advertise (a motel or restaurant). And therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to store and to retrieve a user-profile with a telephone service provider's subscriber database. Doing so would help to generate revenue through advertisement.

Re claim 36: The combination of Hoffberg, Monroe et al, Wenzel and Reynolds et al would need a decoder that is capable of decoding MPEG-4 compressed video image to reconstruct MPEG-4 compressed video images.

4. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffberg, in view of Monroe et al, Wenzel and Reynolds et al and further in view of Stewart et al (6,259,405).

As applied to claim 25 above, it is noted that the combination of Hoffberg, in view of Monroe et al, Wenzel and Reynolds et al does not particularly disclose the billing for provision of said service. Stewart et al teaches "To provide user identification and/or ensure security, the MU may also be equipped with a code generator that generates an identification code that may be transmitted to and recognized by the wireless AP 120.

This identification code may then be relayed to different service providers 140 and/or MIB 150 that are coupled to wireless AP 120 via centralized network 130. Such an identification code may utilize recognition of a MU before providing access to system services, thereby providing a measure of security and a service billing mechanism. The identification code may also identify the user to enable a service provider to use known information regarding the user or view demographic information in conjunction with the known geographic location to provide specific information (e.g., advertising) to the user." (col. 6, ln. 49-63). And therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of the combination of Hoffberg, in view of Monroe et al, Wenzel and Reynolds et al by providing a billing system as taught by Stewart et al. Doing so would help to improve the system and make it more commercial available.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND
7/7/2007

NHON DIEP
PRIMARY EXAMINER